

MOTOR CYCLE HELMET LAW AMENDMENTS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Neil A. Hansen

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions relating to motorcycle operator protective headgear requirements.

Highlighted Provisions:

This bill:

- ▶ provides that a person may not operate a motorcycle on a highway within the city limits of a first, second, or third class city unless the person is wearing protective headgear;
- ▶ provides that a person under 21 years of age, rather than 18, may not operate a motorcycle on a highway unless the person is wearing:
 - protective headgear with a continuous solid chin bar; and
 - protective glasses, goggles, or a transparent face shield unless the motorcycle or motor-driven cycle is equipped with a protective windshield;
- ▶ grants the Department of Public Safety rulemaking authority to establish standards for approved protective glasses, goggles, or transparent face shields; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None



Utah Code Sections Affected:

AMENDS:

41-6a-1505, as last amended by Laws of Utah 2007, Chapter 86*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **41-6a-1505** is amended to read:

41-6a-1505. Motorcycle or motor-driven cycle -- Protective headgear -- Closed cab excepted -- Electric assisted bicycles, motor assisted scooters, electric personal assistive mobility devices.

(1) (a) A person may not operate or ride on a motorcycle or motor-driven cycle on a highway within the city limits of a city of the first, second, or third class unless the person is wearing protective headgear which complies with specifications adopted under Subsection (3).

[+] (b) A person under the age of [+] 21 may not operate or ride on a motorcycle or motor-driven cycle on a highway unless the person is wearing:

(i) protective headgear which complies with specifications adopted under Subsection (3)[-] and has a continuous solid chin bar; and

(ii) protective glasses, goggles, or a transparent face shield of a type approved by the department unless the motorcycle or motor-driven cycle is equipped with a protective windshield.

(2) This section does not apply to persons riding within an enclosed cab.

(3) The following standards and specifications for protective headgear are adopted:

(a) 49 C.F.R. 571.218 related to protective headgear for motorcycles; and

(b) 49 C.F.R. 1203 related to protective headgear for bicycles, motor assisted scooters, and electric personal assistive mobility devices.

(4) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the department shall make rules establishing standards for approved protective glasses, goggles, or a transparent face shield required under Subsection (1)(b)(ii).

Legislative Review Note
as of 2-20-08 2:44 PM

Office of Legislative Research and General Counsel

H.B. 463 - Motor Cycle Helmet Law Amendments

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. Local governments may benefit.
